

Z-77  
(2016)



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JUNE 23, 2016

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ENCORE CENTER  
ATLANTA, GEORGIA

**WBA** ARCHITECTURE - INTERIORS - PLANNING  
SITE PLAN

WAKEFIELD REASLEY & ASSOCIATES ARCHITECTS, INC. | WWW.WRASOCIATES.COM | ATLANTA - JACKSONVILLE - DUBAI - PANAMA



**APPLICANT:** PAC Galleria 75, LLC

**PETITION NO.:** Z-77

**PHONE#:** (770) 818-4100 **EMAIL:** bdupree@pacapts.com

**HEARING DATE (PC):** 09-08-16

**REPRESENTATIVE:** John H. Moore

**HEARING DATE (BOC):** 09-20-16

**PHONE#:** (770) 429-1499 **EMAIL:** jmoore@mijs.com

**PRESENT ZONING** OI, RRC

**TITLEHOLDER:** BDG Galleria 75, North Decatur Square

Partners, LLC; and Oxford Encore Apartments LLC

**PROPOSED ZONING:** RRC

**PROPERTY LOCATION:** East side of Cobb Galleria Parkway,

north of the intersection of Cobb Galleria Parkway and Cumberland

**PROPOSED USE:** Mixed-Use Development

Boulevard; southwest side of I-75; and across from Riverwood Parkway

**ACCESS TO PROPERTY:** Cobb Galleria Parkway

**SIZE OF TRACT:** 7.368+

**DISTRICT:** 17

**PHYSICAL CHARACTERISTICS TO SITE:** Existing office

**LAND LOT(S):** 1014

development

**PARCEL(S):** 1

**TAXES: PAID** X **DUE** \_\_\_\_\_

**COMMISSION DISTRICT:** 2

**CONTIGUOUS ZONING/DEVELOPMENT**

**NORTH:** RRC/Undeveloped  
**SOUTH:** RRC/Encore Apartments  
**EAST:** I-75  
**WEST:** O&I/Bank; RRC/Encore Apartments

Adjacent Future Land Use:

North: Regional Activity Center, Office (RAC / off)  
East: Regional Activity Center, and Park / Recreation / Conservation (PRC)  
South: Regional Activity Center, Office (RAC / off)  
West: Regional Activity Center, Office (RAC / off)

**OPPOSITION:** NO. OPPOSED **PETITION NO.:** \_\_\_\_\_ **SPOKESMAN** \_\_\_\_\_

**PLANNING COMMISSION RECOMMENDATION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

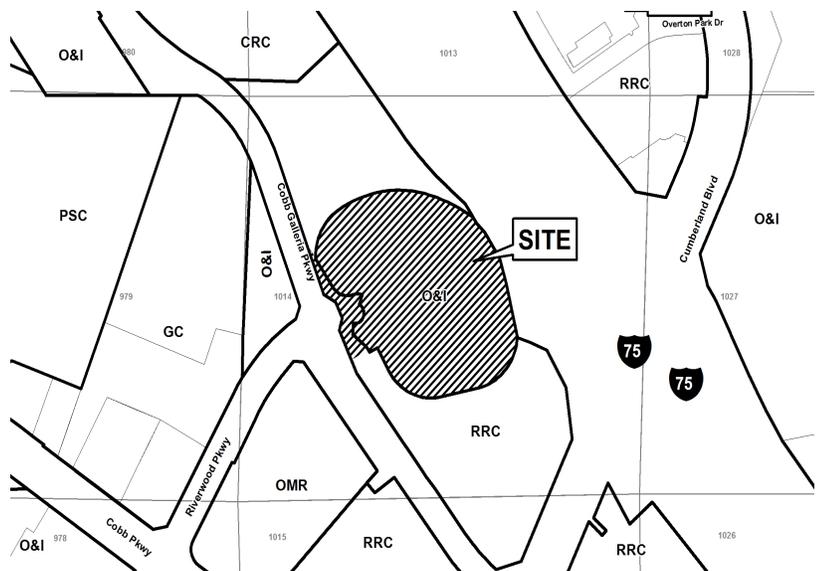
**BOARD OF COMMISSIONERS DECISION**

**APPROVED** \_\_\_\_\_ **MOTION BY** \_\_\_\_\_

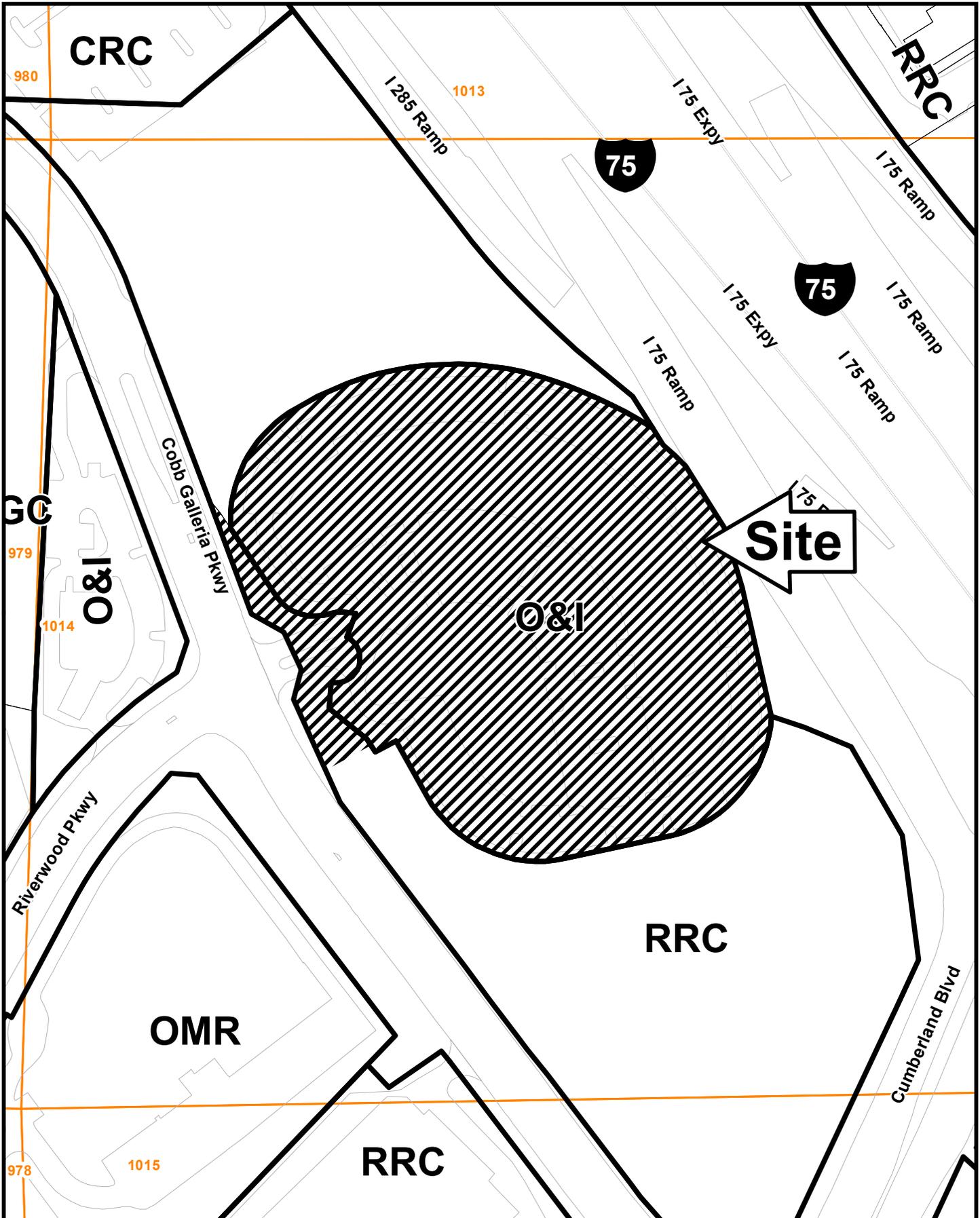
**REJECTED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

**HELD** \_\_\_\_\_ **VOTE** \_\_\_\_\_

**STIPULATIONS:**



# Z-77-2016 GIS



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

**APPLICANT:** PAC Galleria 75, LLC

**PETITION NO.:** Z-77

**PRESENT ZONING:** OI, RRC

**PETITION FOR:** RRC

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**ZONING COMMENTS:**

**Staff Member Responsible:** Jason A. Campbell

**Land Use Plan Recommendation:** Regional Activity Center (RAC)

**Proposed Number of Buildings:** 7      **Total Square Footage of Development:** 495,000

**F.A.R.:** 1.54      **Square Footage/Acre:** 67,182

**Parking Spaces Required:** 1,803      **Parking Spaces Provided:** 2,500+

Applicant is requesting to rezone the property to the Regional Retail Commercial zoning district for the purpose of the development of a mixture of office, retail and residential. The residential portion will contain two, multi-story residential towers. The residential units will be 600 to 1,500 square feet and greater. The rental rates will be determined by market and the high-rises will be traditional in architecture. There will also be 450,000 square feet of rentable office space and 45,000 square feet of rentable retail space, all with associated parking. The proposed site plan indicates the following: one office buildings with 400,000 square feet; one residential tower with 350 units; one residential tower with 250 units; three buildings with a total of 20,000 square feet of retail space; and one building that has 25,000 square feet of retail and 50,000 square feet of office space.

**Cemetery Preservation:** No comment

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APPLICANT: PAC Galleria 75, LLC

PETITION NO.: Z-77

PRESENT ZONING: OI, RRC

PETITION FOR: RRC

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**SCHOOL COMMENTS:**

<u>Name of School</u>	<u>Enrollment</u>	<u>Capacity Status</u>	<u>Number of Portable Classrooms</u>
Brumby Elem	1002	751	
<b>Elementary</b>			
East Cobb Middle	1230	1226	
<b>Middle</b>			
Wheeler High	2161	2187	

**High**

- School attendance zones are subject to revision at any time.

**Additional Comments:**

Approval of this petition will not have a significant impact on the enrollment at these schools.

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**FIRE COMMENTS:**

Modifications may be required to incorporate the Cobb County Fire Marshal's Office comments.

ACCESS: Fire apparatus access roads shall extend to within 150 feet of all portions of the facility or any portion of the exterior wall of the first floor (State Modifications IFC 503.1 2006 Edition).

All access roads shall meet the American Association of State and Highway Transportation Officials (AASHTO) design manual live load standard HS20 (75,000 lbs.) with an unobstructed width of not less than 20 feet, 25 foot inside radius, 50 foot outside turning radius and unobstructed vertical clearance of not less than 13 feet 6 inches.

Maximum slope of the access road in reference to the apparatus is 10% Front to Back and 5% Side to Side. Maximum grade of roadways leading to Fire Access roads refer to the Cobb County Development Standard Section 400: 14% for Non-Residential. Maximum angle of departure is 8.5%.

Dead-end access roads in excess of 150 feet shall be provided with a turn-around (IFC 503.2.5 2006 Edition). Cul-de-sac with or without an island: minimum 60-foot radius to outside curb, measured to inside of curb and a minimum lane width = 24 feet (Cobb County Development Standard 401.09). Single-Family cul-de-sac without island: 38-foot outside radius with island reverts to commercial dimensions. Hammerhead turn-around: total of 110 feet needed (45 feet + 20 feet wide roadway + 45 feet).

Aerial apparatus access shall be required for all structures over 30 feet in height measured from the lowest level of fire department access to the ceiling height of the highest occupied floor level. Aerial fire apparatus access roads shall be a minimum width of 24 feet maximum of 40 feet from the structure and be positioned parallel to one entire side of the building. No overhead utility and power lines shall be located within the aerial fire apparatus access. (Cobb County Development Standards 401.08.02.1)

APPLICANT: PAC Galleria 75, LLC  
PRESENT ZONING: OI and RRC

PETITION NO.: Z-77  
PETITION FOR: RRC

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**PLANNING COMMENTS:**

The applicant is requesting a rezoning from OI and RRC to RRC for the purpose of mixed use development. The 7.368 +/- acre site is located on the east side of Cobb Galleria Parkway, north of the intersection of Cobb Galleria Parkway and Cumberland Boulevard; southwest side of I-75; and across from Riverwood Parkway.

HB-489 Intergovernmental Agreement Zoning Amendment Notification:

Is the application site within one half (1/2) mile of a city boundary?  Yes  No  
If yes, has the city of \_\_\_\_\_ been notified?  Yes  No / N/A

Comprehensive Plan

The parcel is within a Regional Activity Center, Office (RAC / off) future land use category, with OI and RRC zoning designations. The purpose of the Regional Activity Center (RAC) category is to provide for areas that can support a high intensity of development which serves a regional market. Typical land uses in these areas include high-rise office buildings, regional malls and varying densities of residential development. Office developments are considered the most appropriate development in the Office land use [sub]category. However, mixed-use developments that include retail may also be appropriate. Mid or high rise residential developments are also appropriate in this category. This shall include any residential development in excess of four (4) stories per structure. Because of the unique, urban characteristics of RAC's, building height and density shall be reviewed on a case-by-case basis.

Specific Area Policy Guidelines:

There are no specific policy guidelines for this area in the Comprehensive Plan.

Adjacent Future Land Use:

North: Regional Activity Center, Office (RAC / off)  
East: Regional Activity Center, and Park / Recreation / Conservation (PRC)  
South: Regional Activity Center, Office (RAC / off)  
West: Regional Activity Center, Office (RAC / off)

Master Plan/Corridor Study

The property is located within the boundary of a the Blueprint Cumberland Livable Communities Initiative Study.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines?  Yes  No  
If yes, design guidelines area \_\_\_\_\_  
Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone?  Yes  No  
The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

**APPLICANT: PAC Galleria 75, LLC**

**PETITION NO.: Z-77**

**PRESENT ZONING: OI and RRC**

**PETITION FOR: RRC**

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**PLANNING COMMENTS:**

CONT.

Is the property within an Enterprise Zone?  Yes  No

The \_\_\_\_\_ Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program?  Yes  No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Community Development Agency, Planning Division at 770.528.2018 or find information online at <http://economic.cobbcountyga.gov>.

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

Yes  No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

Yes  No

Is this property within the Six Flags Special Service District?

Yes  No

Is the property within the Dobbins Airfield Safety Zone?

Yes  No

If so, which particular safety zone is this property within?

CZ (Clear Zone)  APZ I (Accident Potential Zone I)

APZ II (Accident Potential Zone II)

Bird / Wildlife Air Strike Hazard (BASH) area

APPLICANT PAC Galleria 75, LLC

PETITION NO. Z-077

PRESENT ZONING OL, RRC

PETITION FOR Mixed Use

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**WATER COMMENTS:** NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development:  Yes  No

Fire Flow Test Required:  Yes  No

Size / Location of Existing Water Main(s): 12" DI / W side of Galleria Pkwy

Additional Comments:

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

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**SEWER COMMENTS:** NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin:  Yes  No

At Development:  Yes  No

Approximate Distance to Nearest Sewer: On site

Estimated Waste Generation (in G.P.D.): A D F= +84,286 Peak= +210,716

Treatment Plant: Sutton

Plant Capacity:  Available  Not Available

Line Capacity:  Available  Not Available

Projected Plant Availability:  0 - 5 years  5 - 10 years  over 10 years

Dry Sewers Required:  Yes  No

Off-site Easements Required:  Yes\*  No \*If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required:  Yes  No

Letter of Allocation issued:  Yes  No

Septic Tank Recommended by this Department:  Yes  No

Subject to Health Department Approval:  Yes  No

Additional Sewer flow study by will be necessary at Plan Review.  
Comments:

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

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PETITION NO.: Z-77

PRESENT ZONING: OI, RRC

PETITION FOR: RRC

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**STORMWATER MANAGEMENT COMMENTS**

FLOOD HAZARD:  YES  NO  POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Rottenwood Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS:  YES  NO  POSSIBLY, NOT VERIFIED

Location:     

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE:  YES  NO  POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (     undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: 50', 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITIONS

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream.  
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhoods downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on adjacent master detention facility.

**APPLICANT: PAC Galleria 75, LLC**

**PETITION NO.: Z-77**

**PRESENT ZONING: OL, RRC**

**PETITION FOR: RRC**

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**STORMWATER MANAGEMENT COMMENTS – Continued**

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill \_\_\_\_\_ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown \_\_\_\_\_
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. This parcel is located between I-75 and Cobb Galleria Parkway at its intersection with Riverwood Parkway. The site is currently developed and will be demolished and redeveloped for this project.
2. Stormwater management is provided for in the adjacent master detention facility to the north. Water quality will be provided on-site.

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**TRANSPORTATION COMMENTS:**

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
Cobb Galleria Parkway	5,900	Major Collector	35 mph	Cobb County	80'

*Based on 2016 traffic counting data taken by Cobb County DOT for Cobb Galleria Parkway.*

**COMMENTS AND OBSERVATIONS**

Cobb Galleria Parkway is classified as a major collector and according to the available information the existing right-of-way does meet the minimum requirements for this classification.

**RECOMMENDATIONS**

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

Recommend a traffic study.

## STAFF RECOMMENDATIONS

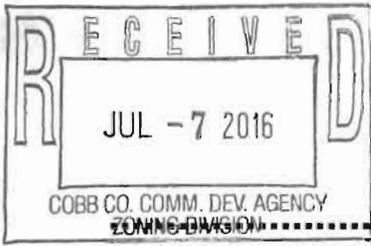
### **Z-77 PAC GALLERIA 75, LLC**

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area are zoned for office, retail and residential uses.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse effect on the usability of adjacent or nearby property. The proposed development will contain uses similar to other developments in the area and will be an extension of the Encore Center.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property as being in the Regional Activity Center (RAC) land use category. The proposed uses and zoning category are compatible with the RAC land use designation.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. The residential portion of the proposed development will abut the Encore property to the south and the office and retail portions will be located continuing north. This proposal is an extension of the previously zoned RRC Encore property to the south.

Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

1. Site plan received by the Zoning Division on July 7, 2016, with the District Commissioner approving minor modifications;
2. Fire Department comments and recommendations;
3. Water and Sewer Division comments and recommendations;
4. Stormwater Management Division comments and recommendations; and
5. Department of Transportation comments and recommendations.

**The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.**



Application No. z-77  
Sept. (2016)

# Summary of Intent for Rezoning\*

.....  
**Part 1. Residential Rezoning Information (attach additional information if needed)**

- a) Proposed unit square-footage(s): 600 - 1,500 square feet, and greater
  - b) Proposed building architecture: Traditional high-rise
  - c) Proposed selling prices(s): Rental rates determined by market
  - d) List all requested variances: None known at this time
- \_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 2. Non-residential Rezoning Information (attach additional information if needed)**

- a) Proposed use(s): 450,000 rentable square feet of office;  
45,000 rentable square feet of retail; and associated parking
  - b) Proposed building architecture: Traditional high-rise and low-rise
  - c) Proposed hours/days of operation: \_\_\_\_\_
  - d) List all requested variances: None known at this time
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

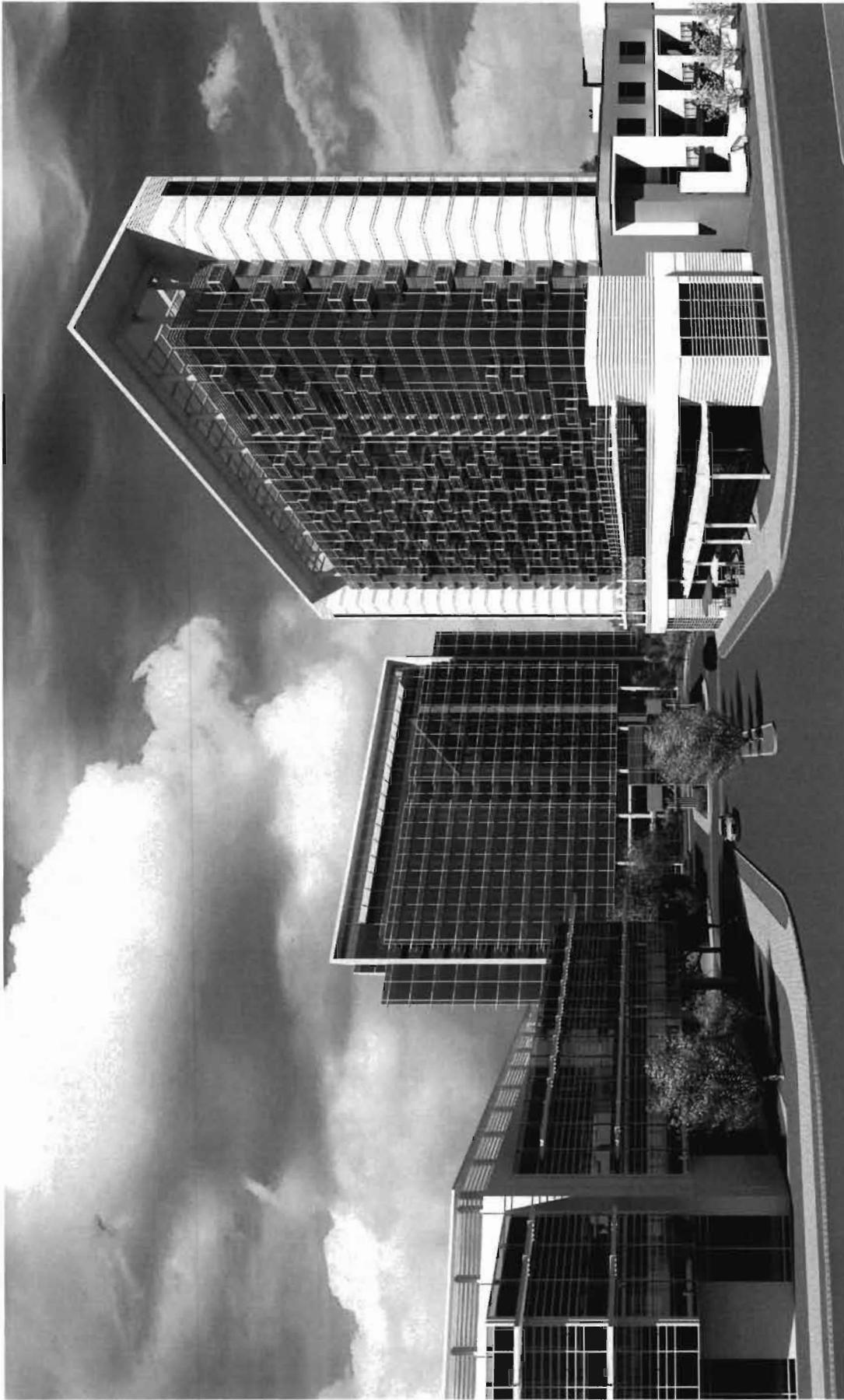
.....  
**Part 3. Other Pertinent Information (List or attach additional information if needed)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

.....  
**Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?**

(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). None known at this time.

\*Applicant specifically reserves the right to amend any information set forth in the Summary of Intent for Rezoning, or any other portion of the Application for Rezoning, at any time during the rezoning process.



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JUNE 2